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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,791	05/13/2002	Philippe Schottland	GEPL.P-049	1632
21121	7590	10/20/2003	EXAMINER	
OPPEDAHL AND LARSON LLP P O BOX 5068 DILLON, CO 80435-5068			LEE, GUIYOUNG	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 10/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/063,791

Applicant(s)

SCHOTTLAND ET AL.

Examiner

Guiyoung Lee

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-99 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-99 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 84 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The phrase "claim 76" seems erroneous.
2. Claim 96 is objected to because of the following informalities: The phrase "a method for making or bezel" seems erroneous. Appropriate correction is required.

Double Patenting

3. Claim 13 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 10. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-57 and 71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 1, 43, and 71: The term “SAE standards” are indefinite since the organizations implementing standards meets regularly and have the authority to modify standards, any connection a claim may have to these standards may have varying scope over time.

Re claim 2-42 and 44-57 are necessarily rejected because of their dependency.

6. Claims 9-10, 24-25, 41-42, 51-52, 56, 61-65, 69, 75, 80-81, 88-89, and 94 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 9, 24, 41, 51, 56, 61, 69, 75, 80, 88, and 94: The chemical groups associated with “derivatives” are indefinite since derivatives dose not clearly set forth the metes and bounds of the patent protection desired.

Claims 10, 25, 42, 52, 62-65, 81, and 89 are necessarily rejected because of their dependency.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-2, 11, 55, 58-59, and 71 are rejected under 35 U.S.C. 102(b) as being anticipated by McKee et al. (USPT 4,716,501).

9. Re claims 1-2, 55, 58-59, and 71: McKee teaches an indicator light assembly having a housing (702) and an outer lens (400 in Fig. 4) comprising a polycarbonate and fluorescent dye (col. 3, line 65 – col. 4, line 8).

10. Re claim 11: McKee discloses a rib (408 in Fig. 4).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 3-10, 12-30, 60-70, and 72-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKee as applied to claims 1 and 58 above, and further in view of Burns et al. (USPT 5,605,761). The teachings of McKee have been discussed above.

13. Re claims 3-8, 10, 13, 18-23, 25, 28-30, 42, 60, 62-68, and 70: McKee does not disclose the ratio of concentration of fluorescent dye. However, Burns teaches a polycarbonate articles containing fluorescent dye between about 0.05 and about 0.7 weight percent. Further, Burns teaches that articles with dye loading outside this range can be used in accordance with the invention (col. 3, lines 30-48). It would have been obvious to one having ordinary skill in the art at the time of the invention to employ the ratio of concentration of fluorescent dye as taught by Burns in order to avoid self-quenching that cause an undesirable decrease in fluorescent brightness (col. 3, lines 47-48).

14. Re claims 9, 12, 14-15, 17, 24, 27, 41, 61, 69, and 74-76: Burns discloses a perylene imide as a fluorescent dye (col. 3, line 51).

15. Re claim 16, 72-73: Burns teaches an UV-coating (col. 5, lines 11-13).

16. Re claim 26 and 68: McKee discloses a rib.

17. Claims 31-40, 43-57, and 77-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKee and Burns in view of Chase et al. (USPT 6,502,974 B2). The teachings of McKee and Burns have been discussed above.

18. Re claims 31-40, 43-57, and 77-95: McKee and Burns are silent with regard to a polycarbonate bezel having an organic fluorescent dye such as a perylene imide. However, Chase discloses a polycarbonate bezel (30 in Fig. 2). It would have been obvious to one having ordinary skill in the art at the time of the invention to employ Burns' organic fluorescent dye into Chase's polycarbonate bezel, motivated by Chase, saying "Depending upon the lighting and appearance effects desired, however, the visible surfaces 31 can be of any desired color and degree of reflectivity (col. 3, line 67 – col. 4, line 3)".

19. Re claims 96-99: McKee disclose a method for making a lens or bezel by molding.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Guiyoung Lee** whose telephone number is (703) 308-8567. The examiner can normally be reached between the hours of 8:00 AM to 3:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached on (703) 305-4939. The fax phone number for this Group is (703)872-9306. The Right Fax phone number for the examiner is (703)746-4766.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [Guiyoung.lee@uspto.gov].

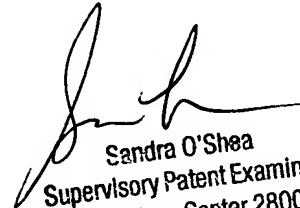
All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

GYL

GAU2875

10/08/2003



Sandra O'Shea
Supervisory Patent Examiner
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